

1 [COUNSEL LISTED ON SIGNATURE PAGE]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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COREPHOTONICS, LTD.,

Case No. 5:17-cv-06457-LHK

7 Plaintiff,

**STIPULATED REQUEST FOR ORDER
TO EXTEND DEADLINE FOR
PLAINTIFF COREPHOTONICS, LTD.
TO SERVE THE COMPLAINT AND TO
RESCHEDULE THE CASE
MANAGEMENT CONFERENCE**

8 v.

9 APPLE INC.,

10 Defendant.

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12 Pursuant to Federal Rule of Civil Procedure 4(m) and Civil L.R. 6-1, 6-2, and 7-12, Plaintiff
13 Corephotonics, Ltd. (“Corephotonics”) and Defendant Apple Inc. (“Apple”) enter into this
14 Stipulation with reference to the following circumstances:

15 WHEREAS, on November 6, 2017, Corephotonics filed a Complaint for Patent Infringement
16 (Dkt. 1) (“Complaint”) in the above-captioned action in the United States District Court for the
17 Northern District of California.

18 WHEREAS, pursuant to Federal Rule of Civil Procedure 4(m), Corephotonics’ deadline to
19 serve the Complaint is February 5, 2018.

20 WHEREAS, the Court has scheduled an Initial Case Management Conference for February
21 14, 2018 at 2 p.m.

22 WHEREAS, the Complaint has not yet been served because Corephotonics and Apple are
23 currently engaged in settlement discussions and wish to continue those discussions with the goal of
24 resolving their dispute without needing further intervention of the Court. Declaration of Claude M.
25 Stern (“Stern Decl.”) ¶ 2.

26 WHEREAS, neither Corephotonics nor Apple has previously requested a time modification
27 in this case. Stern Decl. ¶ 3.

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1 WHEREAS, the time modifications requested below will affect the deadlines for certain
2 actions required by the Federal Rules of Civil Procedure, Civil Local Rules for the Northern District
3 of California, and ADR Local Rules for the Northern District of California that are based on the
4 date of the Initial Case Management Conference. Such actions include the Rule 26(f) conference,
5 service of initial disclosures, filing the ADR certification, and filing the joint case management
6 statement. However, the time modifications requested will have no effect on other deadlines set by
7 the Court. Stern Decl. ¶ 4.

8 IT IS HEREBY STIPULATED AND AGREED, by and between Corephotonics and Apple,
9 that the deadline for Corephotonics to serve the Complaint shall be extended to March 7, 2018, and
10 the Initial Case Management Conference shall be rescheduled to March 14, 2018 at 2 p.m. or to such
11 other date and time thereafter that fits within the Court's schedule. By agreeing to this Stipulation,
12 Apple does not hereby formally appear in this action and does not waive any of its rights as a party
13 that has not yet appeared or been served with the Complaint.

14 Corephotonics and Apple respectfully request that the Court grant this Stipulation and
15 thereby extend the deadline for service of the Complaint and reschedule the Initial Case
16 Management Conference in accordance with the parties' above requests.

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1 Dated: January 29, 2018

Respectfully Submitted,

2 /s/ Claude M. Stern

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6 /s/ Jennifer Yokoyama (by permission)

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14 *Attorneys for Plaintiff Corephotonics, Ltd.*

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17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 Dated:

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Hon. Lucy H. Koh, District Judge

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ATTESTATION

I, Claude M. Stern, am the ECF user whose ID and password are being used to file the above Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Jennifer Yokoyama has concurred in the aforementioned filing.

/s/ *Claude M. Stern*

Claude M. Stern